

REGULAR MEETING
AGENDA

Wednesday, February 11, 2015 7:45 P.M.
Auditorium
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

OPENING

Requests to the ZBA involve important legal property rights. The proposal may expand one owner's limitations and reduce another's protections as defined within the Zoning Regulations. Therefore, any information considered must be clearly provided and all hearing comments are recorded. **Please speak only into the microphones near the podium. In order to avoid unnecessary distractions, please silence all electronic/communication devices and avoid side conversations** within the meeting room and hallway near the door.

The ZBA will make every reasonable effort to complete this agenda in a timely manner. However, complications may arise and it may be difficult to properly consider all of the requests tonight. You can be helpful by making your presentation efficiently. Due to necessary scheduling of ZBA members, and possible involvement with other Board/Commission review, the following items may be considered out of sequence. Application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting. Please understand that one or more hearing items may need to be opened and continued to a subsequent meeting and some hearings may be completed tonight but ZBA deliberation of the requests may be postponed to a later date. After the hearing of the project you are interested in is concluded, you may choose to make subsequent inquiries about a possible decision to ZBA office staff at 203-656-7351 during regular business hours.

PUBLIC HEARINGS

CALENDAR NO. 1-2015 TO BE REOPENED AND RECONTINUED TO MARCH 11

The application of Kathleen Willcox submitted on December 5, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of second story dormers and a deck for additional living/studio/office space in a non-conforming

garage structure; Section 406: enlargements of a structure 8.4 in lieu of 10.0 feet minimum required northeast side yard setback. The property is situated on the southeast side of West Avenue approximately 450 feet southwest of the intersection of Stony Brook Road and is shown on Assessor's Map #39 as Lot #93, being 117 West Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 5-2015

POSTPONED TO MARCH 11, 2015

The application of Douglas McKay on behalf of 537 Post Road LLC submitted on December 17, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a dance/exercise studio within an existing barn structure located in a Residential Zone; Section 406: dance/exercise studio use where none is permitted. The barn is located to the rear of the property situated on the north side of the Boston Post Road approximately 530 feet east of the intersection with Brookside Road and is shown on Assessor's Map #14 as Lot #36, being 537 Boston Post Road and located in an DB-2 (commercial) Zone and R-1/2 (residential) Zone.

CALENDAR NO. 7-2015

The application of Heidi & Jordan Davis submitted on January 13, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of second story and covered front porch additions; Section 406: 17.2 in lieu of 25.0 feet minimum required Park Lane front yard setback, 32.7 in lieu of 50.0 feet minimum required front yard setback as measured from the centerline of Park Lane, and 18.2 in lieu of 25.0 feet minimum required Holmes Avenue front yard setback for the second story addition; and 44.0 in lieu of 50.0 feet minimum required front yard setback as measured from the centerline of Park Lane, and 23.3 in lieu of 25.0 feet minimum required Holmes Avenue front yard setback for the covered porch. The property is situated on the southwest side of Holmes Avenue at the southeast corner formed by the intersection of Holmes Avenue and Park Lane and is shown on Assessor's Map #25 as Lot #18, being 134 Holmes Avenue and located in an R-1/5 (residential) Zone.

CALENDAR NO. 8-2015

TO BE OPENED AND CONTINUED TO MARCH 11

The application of John Toates and JTAD LLC on behalf of Joseph & Rita Maruszewski submitted on January 14, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of one story, two story, second story, attic and bilco door additions; Section 406: 12.2 in lieu of 18.1 feet minimum required south side yard setback, 11.9 in lieu of 17.8 feet minimum required north side yard setback, and 24.1 in lieu of 30.0 feet minimum required total of two side yards setback. The property is situated on the east side of Mansfield Avenue approximately 130 feet north of the

intersection with Roland Drive and is shown on Assessor's Map #15 as Lot #114, being 102 Mansfield Avenue and located in an R-1/2 (residential) Zone.

CALENDAR NO. 9-2015

The application of Lance Zimmerman, AIA and Zimmerman Architecture on behalf of Brian & Cindy Rolapp submitted on January 14, 2015 for a variance of Section 406 and/or an interpretation of Sections 337 and 1122 of the Darien Zoning Regulations; to allow the construction of a swimming pool; Section 406: 19.7 in lieu of 40.0 feet minimum required rear yard setback; and/or Sections 337 and 1122: an interpretation that the northeast property line is a side rather than a rear property line. The property is located on the north side of Fox Hill Lane approximately 450 feet west of the intersection with Mansfield Avenue and is shown on Assessor's Map #6 as Lot #120, being 7 Fox Hill Lane and located in an R-1 (residential) Zone.

CALENDAR NO. 10-2015

The application of Lance Zimmerman, AIA and Zimmerman Architecture on behalf of Kevin & Jennifer Hite submitted on January 14, 2015 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a one story garage addition; Section 406: 8.7 in lieu of 30.0 feet minimum required Hoyt Street front yard setback, and 32.3 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Hoyt Street. The property is situated on the northwest corner of the intersection formed by Hoyt Street and Heather Lane and is shown on Assessor's Map #31 as Lot #11, being 2 Heather Lane and located in an R-1/3 (residential) Zone.

CALENDAR NO. 11-2015

The application of David Ingraham submitted on January 16, 2015 for an amendment to the stipulations of ZBA Calendar No. 55-2014; to allow the removal of a Casement Street tree and the construction of a driveway. The property is situated on the southeast corner of the intersection of Casement Street and Dubois Street and is shown on Assessor's Map #43 as Lot #23, being 33 Casement Street and located in the R-1/5 (residential) Zone.

DELIBERATIONS AND DECISIONS

This portion of the meeting is no longer a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their regulatory responsibilities for the overall benefit of the community. Any expression

from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.

Discussion, deliberation and possible decisions for Public Hearing request items listed above. Four affirmative votes out of the five seated ZBA members are required to approve a proposal. Decisions are made after the ZBA members review the public hearing comments, submitted plans and other application materials, and carefully consider possible stipulations to ensure the best possible project fit among the neighboring properties. If complications arise ZBA deliberation of the requests may be postponed or continued to a later meeting date.

OTHER BUSINESS

This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their regulatory responsibilities for the overall benefit of the community. Any expression from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.

1. Approval of Minutes of meeting on December 10, 2014. ZBA members attending this meeting were Chuck Deluca, Vic Capellupo, Mike Nedder, Ruth Anne Ramsey, and Rich Wood.
2. Approval of Minutes of meeting on January 14, 2015. ZBA members attending this meeting were Chuck Deluca, Jeff Williams, Vic Capellupo, Gary Greene, and Mike Nedder.
3. Discussion of subcommittee work with a Planning and Zoning Commission subcommittee on recommended Zoning Regulation changes.
4. General discussion of Application Materials, applicant identity, application review procedures, hearing guidelines, hardship criteria, decision practices/guidelines/staff questions, prior decision consequences, project fit relative to neighbor properties, supervision/inspection of construction projects, and/or requested changes.
5. Any other business (a minimum 2/3, 67%, i.e. 3/4, 4/5, or 4/6, favorable vote of members present and voting is required to add an item to the agenda).

ADJOURN